

**6250. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 15 Barrels of Vinegar. Default decree of condemnation, forfeiture, and destruction. Empty containers ordered sold. (F. & D. No. 393-c.)**

On June 4, 1918, the United States attorney for the Southern District of Georgia, acting upon a report by the chief food inspector of the State of Georgia, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 barrels, each containing 72 bottles of vinegar, remaining unsold in the original unbroken packages at Cordele, Ga., alleging that the article had been shipped on or about February 9, 1918, by J. W. Oelerich & Son, Brooklyn, N. Y., and transported from the State of New York into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Distilled Spirit Vinegar."

Adulteration of the article was alleged in the libel for the reason that a certain substance, to wit, water, had been mixed and packed with the article in such manner as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for vinegar, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Distilled Spirit Vinegar," borne on the label was false and misleading when applied to an article composed of a mixture of vinegar and water; and for the further reason that the bottles were labeled, "Contents One Pint," when, in fact, the average contents of said bottles was 7 per cent less than the quantity represented and reputed to be contained therein on said labels.

On October 12, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed, and that the empty containers should be sold by the United States marshal.

G. I. CHRISTIE, *Acting Secretary of Agriculture.*